

PETITION AGAINST THE FINDING AND/OR SENTENCE
OF A MILITARY COURT.

TO: GOC

1 Corps District,
B.A.O.R.

1. I JOHANN BRASCHOS hereby
(name) petition against the finding of a Military Court held
on the 22nd day of December which found me guilty of:
being concerned in the killing of three allied PW
(particulars)
and sentenced me to Death
(sentence)

2. The grounds of my petition are:

I regret the part I played in the maltreatment of the prisoners;
I did not throw them over the bridge and beg for the sentence
to be reduced accordingly. I appeal for mercy for the sake
of my wife and children.

24 / 12 / 45
(date)

Johann Braschoss
(Signature)

NOTE: If the Petition is a petition against the finding, this
must be referred by the Confirming Officer together with
the proceedings of the trial to the ADJAG, HQ. British Army
of the Rhine, B.A.O.R. for his advice and report.

(German translation on reverse)

81 DEC 1945

Legal Form No. 10

COURTS BRANCH

MILITARY GOVERNMENT COURT**Petition for Review**

Note: This form must be filed with the trial court, or as may otherwise be directed, within 10 days of conviction.

*Summary

*Intermediate Military Court of

Essen

*General

(Address of Court)

Name of Accused Johannes Braschoss

Address of Accused Essen, Wiesbadenerstr. 26 Date of Arrest M 3rd May, 1945

Charge Murder

Date of Trial 18th - 22nd 12., 1945 Date of Conviction 22nd Dec. 1945

Sentence Capital punishment

B. affirms to be innocent. He appeals to the deposition
Grounds of Petition of Mrs. Giese, Essen, Heimatdank 44, who will mani-
fest, that Conradshaus according to his own declarations was on
the roof of his house and not on the bridge, as he affirms. Thus he
could say nothing in fact about a partnership of Braschoss.

Date 28 XII

1945

(Signature of accused or his attorney)

Remarks by Trial Judge or Local Officer

Date

194

(Signature and Title)

Recommendation on Review

(For use of Legal Adviser to Reviewing Authority only)

Date

194

(Signature and Title)

Aenne Braschoss

Essen, 27th December, 1945
Wiesbadener Strasse 21

To

Field Marshal Montgometry,

Bad Oeynhausen.

Petition of pardon of Mrs. Braschoss
for her husband Johann Braschoss.

Dear Sir !

My husband Johann Braschoss was condemned to death by the British Mil.-Govt.-Court at Essen-Steele on account of pretended participation in having murdered English airmen on the 13th of December 1944 at Essen. Because I am steadily convinced, that my husband is innocent in this murder, Sir, I beg for pardon respectively for alteration of the judgment. As a faithful Christian, I abhor this horrible monstrous crime, and I should like to prevent, that a new misery will be added. For to unburden my husband I ask for an impartial trial of my following explanations:

1.) The chief witness for the prosecution -Conradshaus- was not at all on the bridge, the place of the murder. According to his declarations he was on the roof of his house, being distant about 80-100 meters from the place of the murder, and being about 10 meters deeper. The sight is partially hindered by a wall on the bridge, about 1 meter high. Moreover it is very important, that by the riot, Conradshaus not at all was able to notice any details. I am certain, that by mistake Conradshaus has changed my husband with a stranger, as till now the chief perpetrators have not yet ascertained. Only he who was on the place of the murder, is able to describe details, and not anybody who was distant about 100 meters from the place of the murder, and who had to look up to the bridge.

2.) My husband is veteran of the first World War. He was discharged as a severely disabled ex-Serviceman (70%). Temporarily he is only able to go with the aid of a light walking-stick (with a point of india-rubber). When my husband was discharged of his first imprisonment on remand, the American major, who conducted the first examination, has declared, that my husband not at all comes into question for this act, because he bodily was unable to do this. My husband is very clumsy on his feet without a walking-stick, therefore it is absolutely excluded, that my husband was able to have struck to death the English airmen with the help of a stick.

3.) Mrs. Käufer, Essen, Mecklenbecksweg 3, again has declared face to face with me, that my husband took no part in having thrown the British airmen over the bridge.

Yours very respectfully

Frau Braschoss